

06-18-04

DAE



ATTORNEY DOCKET NO.
065446.0128

PATENT APPLICATION
09/469,644

#19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Allan R. Griebnow
Serial No.: 09/469,644
Filing Date: December 22, 1999
Group No.: 2613
Examiner Gim S. Philippe
Title: METHOD AND SYSTEM FOR PROVIDING INTEGRATED
REMOTE MONITORING SERVICES

RECEIVED
JUN 23 2004
OFFICE OF PETITIONS

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Ms. Liana S. Chase

Dear Sir:

RESPONSE TO DECISION ON PETITION FOR REVIVAL OF APPLICATION
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

In response to decision on Petition for Revival under 37 C.F.R. 1.137(b) filed on March 31, 2004, Applicant hereby submits this Response to the dismissal of Petition for Revival.

On March 31, 2004, attorneys for Applicant submitted the following documents to the United States Patent and Trademark Office (USPTO) via Express Mail Receipt No. EV 324643555 US:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b);
2. Check No. 120380 in the amount of \$665.00 to cover the fee for the Petition for Revival;
3. Statement of Allan Frank under 37 C.F.R. 3.73(b);
4. Response Pursuant to 37 C.F.R. 1.111; and
5. Power of Attorney and Correspondence Address Indication Form.



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As previously mentioned, the above-identified documents were sent to the U.S. Patent and Trademark Office via Express Mail, however, Mail Stop PETITION was not indicated on the Express Mail receipt, and Applicant believes that upon receipt in the USPTO mail room the documents were separated and processed separately. Accordingly, Applicant hereby submits true and correct copies of the following documents, originally filed on March 31, 2004, for consideration by Petitions Examiner Chase:

- 1). Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b);
- 2). Statement of Allan Frank under 37 C.F.R. 3.73(b); and
- 3). Response Pursuant to 37 C.F.R. 1.111.

Also enclosed is a corrected Power of Attorney and Correspondence Address Indication Form, signed by Assignee on June 11, 2004.

While Applicant believes that Check No. 120380 in the amount of \$665.00 was received, as indicated on the copy of the original stamped return acknowledgement postcard, a copy of which is attached, the Commissioner is hereby authorized to charge any fees which may be due in connection with the Petition for Revival to Deposit Account No. 02-0384 in the name of Baker Botts, L.L.P.

For the foregoing reasons, Applicant respectfully request that the Petition for Revival be granted.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant

Kevin J. Meek
Reg. No. 33,738

Date: June 16, 2004
BAKER BOTTS, L.L.P.
2001 Ross Avenue
Suite 600
Dallas, TX 75201-2980
(214) 953-6680

ATTORNEY DOCKET NO.
065446.0128

PATENT APPLICATION
09/469,644

Enclosures: Petition for Revival of an Application for Patent Abandoned Unintentionally
 under 37 C.F.R. 1.137(b), dated March 31, 3004
 Statement of Allan Frank under 37 C.F.R. 3.73(b), dated March 31, 2004
 Response Pursuant to 37 C.F.R. 1.111, dated March 31, 2004
 Copy of acknowledgement return postcard, dated March 31, 2004
 Copy of Express Mail Receipt No. EV 324643555 US, dated March 31, 2004
 Corrected Power of Attorney and Correspondence Address Indication Form,
 dated June 11, 2004



PTO/SB/64 (11-03)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

065446.0128

First named inventor: Allan R. Griebenow

Application No.: 09/469,644

Art Unit: 2613

Filed: December 22, 1999

Examiner: Gims S. Philippe

Title: Method and System for Providing Integrated
Remote Monitoring Services**RECEIVED**

JUN 23 2004

OFFICE OF PETITIONSAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of a Response☐ has been filed previously on _____ (Identify type of reply):
☒ is enclosed herewith.

B. The issue fee of \$ _____

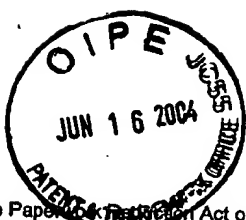
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[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV324643555US



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

3/31/04
Date


Signature

Telephone
Number: 972.250.5956

Michael H. Beber
Typed or printed name
Axcess, Inc.
3208 Commander Drive
Address

Carrollton, Texas 75006
Address

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.


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Name of Inventor(s): A. R. Griebenow		Receipt Date & Serial No:	
Title of Invention: M/S for Providing Integrated Remote Monitoring Services			
Client or Applicant: Aaccess Inc.	BB File No.: 065446.0128		
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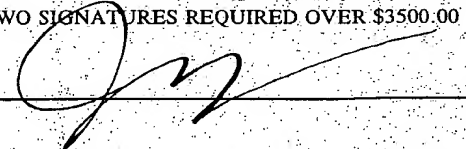
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03/22/2000	KZEWDIE	116	SALE	581	A	40.00	09469644	
03/22/2000	KZEWDIE	115	SALE	205	A	65.00	09469644	
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01/12/2000	ASELLMAN	125	SALE	203	A	63.00	09469644	
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